

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:18CR01007 AGF (JMB)
	)	
SHAUWN NETTLES,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before the Court on the Defendant's pretrial motion. All pretrial motions were referred to United States Magistrate Judge John M. Bodenhausen under 28 U.S.C. § 636(b). Defendant Shauwn Nettles filed a Motion to Suppress Evidence. (Doc. No. 57). Defendant is charged by Indictment with one count of being a Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1); one count of Possession with Intent to Distribute Fentanyl, in violation of 21 U.S.C. § 841(a)(1); and one count of Possession of a Firearm in Furtherance of one or more Drug-Trafficking Crimes, in violation of 18 U.S.C. § 924(c), all arising from a traffic stop in the City of St. Louis on October 26, 2018. (Doc. No. 1).

In his motion to suppress, Defendant asserts that the search and seizure of items from his car were in violation of his Fourth Amendment rights as he did not give the Officer permission to search his car and there was no probable cause for searching the car.

Judge Bodenhausen held an evidentiary hearing on March 31, 2021, at which St. Louis Metropolitan Police Department Officer Quincy Smith testified and was subject to cross-examination. Officer Smith has been with the SLMPD for approximately eleven (11) years, and was assigned to the “Mobile Reserve” at the time of the traffic stop. Following the evidentiary hearing, the parties submitted post-hearing briefs, and Judge Bodenhausen issued a Report and Recommendation (“R&R”), recommending that Defendant’s motion to suppress be denied. (Doc. No. 87.) Defendant has not filed any objections, and the time to do so has passed.


The Court conducted a *de novo* review of the motion to suppress, including a review of the transcript of the hearing and the exhibits introduced at the hearing. Based on that review, the undersigned concludes that the Magistrate Judge made proper factual findings and correctly concluded that the actions by Officer Smith did not improperly exceed the scope of the traffic stop.

Thus, after careful and independent consideration, the Court will adopt and sustain the thorough reasoning of Magistrate Judge Bodenhausen set forth in support of his recommended ruling.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of United States Magistrate Judge [ECF No. 87] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that Defendant's Motion to Suppress Evidence  
[Doc. No. 57] is **DENIED**.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 23<sup>rd</sup> day of July, 2021.